

### **REMARKS**

This responds to the Final Office Action dated April 30, 2009.

Claims 246, 257, 268, 285, 298, 312, and 313 are amended to recite the limitations formerly recited in claim 250, claim 250 was canceled, and no claims are added; as a result, claims 246--249, 251-258, 260-262, 265-273, 276-278, 280-281, 284-292, 294-299 and 301-313 remain pending in this application.

#### **Examiner Interview**

Applicants thank the Examiner for an interview conducted on June 29, 2009. In the course of the interview the Examiner indicated that the claims are likely to be allowed if independent claims are amended to recite the limitations of claim 250.

#### **§ 103 Rejection of the Claims**

Claims 246-251, 254-258, 260-262, 265-273, 276-278, 280-281, 284-292, 294-299 and 301-313 were rejected under 35 U.S.C. § 103(a) as being obvious over Graczyk (U.S. Patent No. 5,192,999) in view of Suto (U.S. Patent No. 4,787,085).

Claims 246, 257, 268, 285, 298, 312, and 313 are amended to recite the limitation of claim 250, namely “wherein the local computer is to control the client to process a computer program included in the received data.” The final Office Action, analyzed this limitation in view of the cited references in the second paragraph on page 5, which is reproduced below.

Considering claims 249-251, 260-262, 271-273, 280-281, 289-291 & 302-304, the host computer 24 of Graczyk, which is a personal computer, controls the processes within the multimedia computerized TV system, including the operation of the TV circuit 46. As for the computer program received in the data, the subject matter reads on the interactive software operating on the tuner card 46 in Graczyk, which is controlled by the computer 24. Furthermore, Suto teaches that the TV adapter transmits requested data to the PC 10f, which reads on local computer to control the client.

(Detailed Action, page 5.)

Graczyk discloses a multipurpose computerized television system for generating a plurality of video images in association with a personal computer. The system in Graczyk comprises a personal computer that includes a personal computer chassis and a monitor. A television circuit is associated with the personal computer and is within the chassis for receiving a plurality of television signals and directing the signals to the monitor for display.<sup>1</sup> In Fig. 1, Graczyk illustrates a workstation 10 that includes a host computer 24 and a multimedia circuitry 12. The multimedia circuitry 12, in turn, includes a television (TV) circuit 46.<sup>2</sup> Television circuit 46 may receive video signals from broadcast television 62, cable television 64, or analog data input 66 from a video cassette recorder or video laser disk player.<sup>3</sup> Graczyk does not disclose or suggest, however, that a television (TV) circuit 46 (cited in the final Office Action to show “a local computer” recited in 246) is capable of controlling the workstation 10 (cited in the final Office Action to show “a client” recited in claim 246) to process a computer program included in data received at the workstation 10. Suto, discloses terminal 10f connected to a personal computer<sup>4</sup> (cited in the final Office Action to show a “local computer comprising a stand-alone computer system” recited in 246). Suto, whether considered separately or in

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<sup>1</sup> Graczyk, 2: 10-22.

<sup>2</sup> Id., 4: 44-48.

<sup>3</sup> Id., 5: 64-67. See also Id., 9: 41-62.

<sup>4</sup> Suto, 4: 28-31.

combination with Graczyk, does not disclose, however, the terminal 10f controlling another computer system to process a computer program that was received at that computer system.

Because the combination of Graczyk and Suto fails to disclose or suggest “a client to receive data” and “a local computer ... to control the client to process a computer program included in the received data,” as recited in claim 246 as amended, claim 246 and its dependent claims are patentable in view of the Graczyk/Suto combination and should be allowed.

Arguments articulated above are also applicable to claims 254-249, 251-258, 260-262, 265-273, 276-278, 280-281, 284-292, 294-299 and 301-313. These claims are thus patentable in view of the Graczyk/Lett combination and should be allowed. It is respectfully requested that the rejections of the above-identified claims be withdrawn.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4052 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30 day of July, 2009.

John D. Gustav-Wrathall

Name

  
Signature